

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEWAYNE RICHARDSON,

Plaintiff,

No. CIV S-04-0393 MCE GGH P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

Plaintiff has filed a document entitled "motion for discovery." Plaintiff's motion for discovery is actually a request for production of documents. Plaintiff is informed that court permission is not necessary for discovery requests and that neither discovery requests served on an opposing party nor that party's responses should be filed until such time as a party becomes dissatisfied with a response and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Discovery requests between the parties shall not be filed with the court unless, and until, they are at issue.

Accordingly, IT IS HEREBY ORDERED that plaintiff's August 15, 2005 request for production of documents, mis-characterized as a motion, is denied. Plaintiff is cautioned that further filing of discovery requests or responses, except as required by rule of court, may result in

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1 an order of sanctions, including, but not limited to, a recommendation that this action be
2 dismissed.

3 DATED: 9/19/05

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5 /s/ Gregory G. Hollows

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7 GREGORY G. HOLLOWS
8 UNITED STATES MAGISTRATE JUDGE

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